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EXAMINER

FOX, BRYAN J

ART UNIT	PAPER NUMBER
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2686

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4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/000,144

Applicant(s)

TEE, LAI KING

Examiner

Bryan J Fox

Art Unit

2686

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 31-41 is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-19, 22-30 and 42-47 is/are rejected.
- 7) ☒ Claim(s) 11, 20 and 21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 12, 2 and 6 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 6 of copending Application No. 09/912795. Although the conflicting claims are not identical, they are not patentably distinct from each other because the subject matter of claims 1 and 2 of the present application are embodied in claim 1 of copending Application No. 09/912795 and the subject matter of claim 6 of the present application is embodied in claim 6 of copending Application No. 09/912795.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

Art Unit: 2686

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5 and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Feuerstein et al (US006141565A).

Regarding claim 1, Feuerstein et al discloses a system for optimizing network parameters (see figure 3) where selection of network parameter sets may be based on geographical information with respect to the particular mobiles, as may be determined through a position location system, such as through the use of multiple BTSs to triangulate the position of the mobile (see column 10, lines 43-56), which reads on the claimed “measuring at least one call characteristic of the wireless device”. The network parameters can include handoff thresholds, drop timers and other parameters customized to reduce dropped calls and increase the voice quality for users (see column 10, lines 57-65). The drop timer reads on the claimed handoff timing parameter, so the above selection of network parameters based on location reads on the claimed “selecting an adapted value for the handoff timing parameter based on the call characteristic”. The network parameters are adjusted at the mobile station (see

column 8, lines 35-38), which reads on the claimed "setting the mobile wireless device handoff timing parameter to the adapted value".

Regarding claim 2, Feuerstein et al discloses that the network parameters may be selected based on geographic information with respect to the particular mobiles (see column 10, lines 43-56), which reads on the claimed "the call characteristic is selected form the group consisting of...location of the wireless device".

Regarding claim 3, Feuerstein et al discloses that network parameters may include handoff thresholds, drop timers and other parameters (see column 10, lines 57-65). Feuerstein et al further discloses the use of a database 203 to store various sets of network parameters. Each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist, and the control processor 202 determines a present or predicted state of the cellular network and selects a particular set of network parameters to provide optimized performance (see column 7, lines 56-64), which reads on the claimed "selecting an adapted value includes querying a drop timer database".

Regarding claim 4, Feuerstein et al discloses that in the database 203, each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist (see column 7, lines 56-64), which reads on the claimed "the drop timer database includes adapted values as a function of the call characteristic".

Art Unit: 2686

Regarding claim 5, Feuerstein et al discloses that in the database 203, each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist (see column 7, lines 56-64), which reads on the claimed "the drop timer database further includes an adjustment factor corresponding to each of the adapted values".

Regarding claim 7, Feuerstein et al discloses that the database may be initialized for expected conditions and updated as the network is modified (see column 11, lines 50-62), which reads on the claimed "updating the drop timer database".

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Feuerstein et al.

Regarding claim 6, Feuerstein et al discloses that network parameters adjusted at the mobile may include, for example, particular beams or signals to monitor and/or transmit upon, thresholds, and search windows (see column 8, lines 54-38). Thresholds are minimum and/or maximum values. Feuerstein et al fails to expressly disclose that the adapted value is a maximum and a minimum value, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Feuerstein et al so that the network parameter thresholds are minimum and maximum values in order to provide a guidance over the operating parameters for optimization.

Claims 8-10, 12-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feuerstein et al in view of Corbett (US006438116B1).

Regarding claim 8, Feuerstein et al fails to expressly disclose that the adapted value for the call category is based upon a statistical function of a previous adapted value and a present adapted value.

Corbett discloses a system where statistics may be collected throughout the day by the system controller during periods of variable traffic activity in order to obtain a profile representative of the distribution, and the data may be derived by using any number of well known statistical operations such as averaging (see column 4, lines 24-38) and the statistical data is used to estimate an adequate power margin (see column 4, lines 51-56).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Feuerstein et al with Corbett to include the above statistical averaging of data to estimate a parameter in order to dynamically tune a parameter to its optimum value as suggested by Corbett (see column 4, lines 51-56).

Regarding claim 9, the combination of Feuerstein et al and Corbett discloses the use of statistical operations such as averaging (see Corbett Column 4, lines 24-38), which reads on the claimed "simple mean".

Regarding claim 10, the combination of Feuerstein et al and Corbett discloses statistics may be collected throughout the day by the system controller during periods of variable traffic activity in order to obtain a profile representative of the distribution, and the data may be derived by using any number of well known statistical operations such as averaging (see column 4, lines 24-38), which reads on the claimed "statistical averages of a plurality of mobile wireless devices as a function of call characteristics".

Regarding claim 12, Feuerstein et al discloses a cellular network with base transceiver stations 101-104 and mobile units 121-126 operating within the various cells of network portion 100 (see figure 1 and column 5, lines 51-65), which reads on the claimed "base station in communication with the mobile wireless device and a plurality of other wireless devices". Feuerstein et al further discloses the use of a database 203 to store various sets of network parameters. Each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to

Art Unit: 2686

exist, and the control processor 202 determines a present or predicted state of the cellular network and selects a particular set of network parameters to provide optimized performance (see column 7, lines 56-64) and network parameters may include handoff thresholds, drop timers and other parameters (see column 10, lines 57-65), which reads on the claimed "drop timer database to store handoff timing parameters". Each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist (see column 7, lines 56-64). Feuerstein et al fails to expressly disclose that the adapted values represent statistical averages.

Corbett discloses a system where statistics may be collected throughout the day by the system controller during periods of variable traffic activity in order to obtain a profile representative of the distribution, and the data may be derived by using any number of well known statistical operations such as averaging (see column 4, lines 24-38) and the statistical data is used to estimate an adequate power margin (see column 4, lines 51-56).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Feuerstein et al with Corbett to include the above statistical averaging of data to estimate a parameter in order to dynamically tune a parameter to its optimum value as suggested by Corbett (see column 4, lines 51-56).

Regarding claim 13, the combination of Feuerstein et al and Corbett discloses that the network parameters may be selected based on geographic information with respect to the particular mobiles (see Feuerstein et al column

Art Unit: 2686

10, lines 43-56), which reads on the claimed “the call characteristic is selected from the group consisting of...location of the wireless device”.

Regarding claim 14, the combination of Feuerstein et al and Corbett discloses that in the database 203, each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist (see Feuerstein et al column 7, lines 56-64), which reads on the claimed “the drop timer database further includes an adjustment factor corresponding to each of the adapted values”.

Regarding claim 15, the combination of Feuerstein et al and Corbett discloses that the control of network parameters may be based on a number of potential inputs or conditions, including loading conditions and traffic load (see Feuerstein et al column 3, lines 18-37), which reads on the claimed “the adjustment factors are a function of available network resources”.

Regarding claim 17, the combination of Feuerstein et al and Corbett discloses that network parameters adjusted at the mobile may include, for example, particular beams or signals to monitor and/or transmit upon, thresholds, and search windows (see column 8, lines 54-58). Thresholds are minimum and/or maximum values. Feuerstein et al fails to expressly disclose that the adapted value is a maximum and a minimum value, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Feuerstein et al so that the network parameter thresholds are minimum and maximum values in order to provide a guidance over the operating parameters for optimization.

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Feuerstein et al in view of Corbett as applied to claim 14 above, and further in view of Tiedmann, Jr. (US005926470A).

Regarding claim 16, the combination of Feuerstein et al and Corbett discloses that the control of network parameters may be based on a number of potential inputs or conditions and may be based on time of day or day of week (see Feuerstein et al column 3, lines 18-37), which reads on the claimed invention where the adjustment factors are a function of the variation over a period of time". The combination of Feuerstein et al and Corbett fails to expressly disclose the pilot drop timer as one of the network parameters.

Tiedmann, Jr. discloses a system where the pilot drop timer (T_TDROP) may be reprogrammed to a new value by a message sent from the base station (see column 16, lines 1-21).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Feuerstein et al with Tiedmann, Jr. to include the pilot drop timer as one of the network parameters in order to optimize this parameter as well as other parameters.

Claims 18-19 and 22-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feuerstein et al in view of Tiedmann, Jr.

Regarding claim 18, Feuerstein et al discloses a system with a database 203 to store various sets of network parameters (see column 7, lines 56-64), and network parameters may include handoff thresholds, drop timers and other parameters (see column 10, lines 57-65). The network parameter database

Art Unit: 2686

reads on the claimed "drop timer database". Network parameters optimized for expected conditions may be stored in database 203 upon deployment of the network (see column 11, lines 50-62), which reads on the claimed "initializing a drop timer database". The network parameters are determined from a database in the BSC (See figure 2) in communication with a BTS which communicates with the MS. Hence the communication parameters come from the BTS, which is a wireless device as it communicates wirelessly with the MS, which reads on the claimed "receiving an adapted pilot drop timer value from a wireless device".

Feuerstein et al also discloses that the database stores various sets of network parameters, and each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist (see column 7, lines 56-65). The particular communication conditions read on the claimed "call category of the wireless device" and the set of network parameters read on the claimed revised value. The processor determines the network parameters selected for the particular communication conditions (see column 7, lines 56-65), which reads on the claimed step of determining a revised value corresponding to the wireless device call category. Feuerstein et al further discloses the updating of the database (see column 11, lines 50-62). Feuerstein et al suggests that drop timers may be network parameters (see column 10, lines 57-65), however, Feuerstein et al fails to expressly disclose the pilot drop timer as one of the network parameters.

Tiedmann, Jr. discloses a system where the pilot drop timer (T_TDROP) may be reprogrammed to a new value by a message sent from the base station (see column 16, lines 1-21).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Feuerstein et al with Tiedmann, Jr. to include the pilot drop timer as one of the network parameters in order to optimize this parameter as well as other parameters.

Regarding claim 19, the combination of Feuerstein et al and Tiedmann, Jr. discloses the use of a database 203 to store various sets of network parameters. Each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist, and the control processor 202 determines a present or predicted state of the cellular network and selects a particular set of network parameters to provide optimized performance (see Feuerstein et al column 7, lines 56-64), which reads on the claimed "determining at least one call characteristic; and querying the drop timer database to determine the call category corresponding to the call characteristic".

Regarding claim 22, the combination of Feuerstein et al and Tiedmann, Jr. discloses a system where a database 203 stores various sets of network parameters. Each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist, and the control processor 202 determines a present or predicted state of the cellular network and selects a particular set of network

Art Unit: 2686

parameters to provide optimized performance (see Feuerstein et al column 7, lines 56-64), and the network parameters can be a pilot drop timer as discussed above in the rejection of claim 18 above, which reads on the claimed "updating the mobile wireless device pilot drop timer value based on the current pilot drop timer value in the drop timer database corresponding to the call category of the mobile wireless device".

Regarding claim 23, the combination of Feuerstein et al and Tiedmann, Jr. discloses that in the database 203, each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist (see Feuerstein et al column 7, lines 56-64), which reads on the claimed "the drop timer database further includes an adjustment factor corresponding to each of the adapted values".

Regarding claim 24, the combination of Feuerstein et al and Tiedmann, Jr. discloses that network parameters adjusted at the mobile may include, for example, particular beams or signals to monitor and/or transmit upon, thresholds, and search windows (see Feuerstein et al column 8, lines 54-38). Thresholds are minimum and/or maximum values. The combination of Feuerstein et al and Tiedmann, Jr. fails to expressly disclose that the adapted value is a maximum and a minimum value, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Feuerstein et al and Tiedmann, Jr. so that the network parameter thresholds are minimum and maximum values in order to provide a guidance over the operating parameters for optimization.

Regarding claim 25, the combination of Feuerstein et al and Tiedmann, Jr. discloses that the database may be initialized for expected conditions and updated as the network is modified (see column 11, lines 50-62), which reads on the claimed "updating the drop timer database".

Regarding claim 26, the combination of Feuerstein et al and Tiedmann, Jr. discloses a system where a database 203 stores various sets of network parameters. Each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist, and the control processor 202 determines a present or predicted state of the cellular network and selects a particular set of network parameters to provide optimized performance (see Feuerstein et al column 7, lines 56-64), and the network parameters can be a pilot drop timer as discussed above in the rejection of claim 18 above, which reads on the claimed "updating the mobile wireless device pilot drop timer value based on the current pilot drop timer value in the drop timer database corresponding to the call category of the mobile wireless device".

Regarding claim 27, the combination of Feuerstein et al and Tiedmann, Jr. discloses that the network parameters are determined from a database in the BSC (See Feuerstein et al figure 2) in communication with a BTS which communicates with the MS, and network parameters may be adjusted at the mobiles (see Feuerstein et al column 8, lines 34-38), which reads on the claimed "sending the revised pilot drop timer value to the wireless device".

Regarding claim 28, the combination of Feuerstein et al and Tiedmann, Jr. discloses that the select network parameters are optimized for the network conditions and their provision to only those network elements affected (see Feuerstein et al column 11, lines 38-43), so the parameters may be provided to more than one network element, which reads on the claimed "sending the revised pilot drop timer value to other wireless devices in the wireless device call category".

Regarding claim 29, the combination of Feuerstein et al and Tiedmann, Jr. discloses that network parameters adjusted at the mobile may include, for example, particular beams or signals to monitor and/or transmit upon, thresholds, and search windows (see Feuerstein et al column 8, lines 54-38). Thresholds are minimum and/or maximum values and a minimum and a maximum value gives a range of values. The combination of Feuerstein et al and Tiedmann, Jr. fails to expressly disclose that the adapted value is a nominal value and a range value, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Feuerstein et al and Tiedmann, Jr. so that the network parameter thresholds are nominal and range values in order to provide a guidance over the operating parameters for optimization.

Regarding claim 30, the combination of Feuerstein et al and Tiedmann, Jr. discloses that network parameters adjusted at the mobile may include, for example, particular beams or signals to monitor and/or transmit upon, thresholds, and search windows (see Feuerstein et al column 8, lines 54-38). Thresholds

Art Unit: 2686

are minimum and/or maximum values. The combination of Feuerstein et al and Tiedmann, Jr. fails to expressly disclose that the adapted value is a maximum and a minimum value, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Feuerstein et al and Tiedmann, Jr. so that the network parameter thresholds are minimum and maximum values in order to provide a guidance over the operating parameters for optimization.

Claims 42-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Feuerstein et al in view of Morales et al (US006738618B1).

Regarding claim 42, Feuerstein et al discloses a cellular network with base transceiver stations 101-104 and mobile units 121-126 operating within the various cells of network portion 100 (see figure 1 and column 5, lines 51-65), which reads on the claimed "base station in communication with the mobile wireless device". Feuerstein et al further discloses the use of a database 203 to store various sets of network parameters (see column 7, lines 56-64), and network parameters may include handoff thresholds, drop timers and other parameters (see column 10, lines 57-65), which reads on the claimed "drop timer database to store handoff timing parameters". Each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist, and the control processor 202 determines a present or predicted state of the cellular network and selects a particular set of network parameters to provide optimized performance (see column 7, lines 56-64), which reads on the claimed "adapted values as a

Art Unit: 2686

function of at least one call category", where the particular communication conditions read on the claimed call category. Feuerstein et al fails to disclose that the database is at the base station.

Morales et al discloses a communication system where the base station 14 has a system parameter database 24 (see figure 2 and column 3, lines 21-35).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Feuerstein et al with Morales et al to include the system parameter database at the base station in order to allow a base station to quickly access the data without the need to use communication resources to another entity, such as the MSC.

Regarding claim 43, the combination of Feuerstein et al and Morales et al discloses that network parameters adjusted at the mobile may include, for example, particular beams or signals to monitor and/or transmit upon, thresholds, and search windows (see column 8, lines 54-38). Thresholds are minimum and/or maximum values. Feuerstein et al fails to expressly disclose that the adapted value is a maximum and a minimum value, however, it would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Feuerstein et al so that the network parameter thresholds are minimum and maximum values in order to provide a guidance over the operating parameters for optimization.

Regarding claim 44, the combination of Feuerstein et al and Morales et al discloses that the network parameters may be selected based on geographic

Art Unit: 2686

information with respect to the particular mobiles (see Feuerstein et al column 10, lines 43-56), which reads on the claimed "the call characteristic is selected from the group consisting of...location of the wireless device".

Regarding claim 45, the combination of Feuerstein et al and Morales et al discloses that in the database 203, each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist (see Feuerstein et al column 7, lines 56-64), which reads on the claimed "the drop timer database further includes an adjustment factor corresponding to each of the adapted values".

Regarding claim 46, the combination Feuerstein et al and Morales et al discloses that in the database 203, each such set of network parameters is optimized so as to result in desired system behavior when particular communication conditions are determined to exist (see Feuerstein et al column 7, lines 56-64), which reads on the claimed "the drop timer database further includes an adjustment factor corresponding to each of the adapted values".

Claim 47 is rejected under 35 U.S.C. 103(a) as being unpatentable over Feuerstein et al in view of Morales et al as applied to claim 45 above, and further in view of Tiedmann, Jr.

Regarding claim 47, the combination of Feuerstein et al and Morales et al discloses that the control of network parameters may be based on a number of potential inputs or conditions and may be based on time of day or day of week (see Feuerstein et al column 3, lines 18-37), which reads on the claimed invention where the adjustment factors are a function of the variation over a

Art Unit: 2686

period of time". The combination of Feuerstein et al and Morales et al fails to expressly disclose the pilot drop timer as one of the network parameters.

Tiedmann, Jr. discloses a system where the pilot drop timer (T_TDROP) may be reprogrammed to a new value by a message sent from the base station (see column 16, lines 1-21).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the combination of Feuerstein et al and Morales et al with Tiedmann, Jr. to include the pilot drop timer as one of the network parameters in order to optimize this parameter as well as other parameters.

Allowable Subject Matter

Claims 11, 20 and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 11, the prior art applied fails to teach, suggest or render obvious the method of claim 3, further comprising replicating the drop timer database in the mobile wireless device.

Regarding claim 20, the prior art applied fails to teach, suggest or render obvious the method of claim 18 wherein determining a revised pilot drop timer value includes computing a probability distribution of at least two pilot drop timer values generated by the wireless device during a predetermined time period and corresponding to the wireless device call category.

Regarding claim 21, the prior art applied fails to teach, suggest or render obvious the method of claim 18 wherein determining a revised pilot drop timer value includes computing a statistical measure of a current pilot drop timer value in the drop timer database corresponding to the call category and the received adapted pilot drop timer, wherein the statistical measure is selected from the group consisting of a moving average, an exponential-weighted moving average, a simple mean, a median, a minimum, a maximum, the latest feedback sample, and a mean of minimum and maximum for a predetermined number of samples.

Claims 31-41 are allowed.

The following is an examiner's statement of reasons for allowance: the prior art fails to teach, suggest or render obvious a method of generating handoff timing parameters, comprising: initializing a drop timer database including current pilot drop timer values being a function of a database call category; receiving an adapted pilot drop timer value from a wireless device; determining a call category of the wireless device; determining a *revised* pilot drop timer value corresponding to the wireless device call category; *updating the drop timer database to reflect the revised pilot drop timer value*; *determining an identifier corresponding to the revised pilot drop timer value*; and *communicating the identifier to the wireless device*.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2686


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bryan J Fox whose telephone number is (703) 305-8994. The examiner can normally be reached on Monday through Friday 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on (703) 305-4379. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJF


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